

Amendment No. 9 to SB0611

**Kyle
Signature of Sponsor**

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AMEND Senate Bill No. 611*

House Bill No. 653

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-4-911, is amended by deleting the language in subsections (a), (b) and (c) in its entirety and substituting instead the following:

(a) To continue to receive a Tennessee HOPE scholarship, a student at an eligible postsecondary institution shall continue to meet all applicable requirements for the scholarship and shall reapply for the scholarship upon attempting twenty-four (24), forty-eight (48), seventy-two (72), and ninety-six (96) semester hours, at which times student eligibility shall be reviewed. At the end of any semester in which a student's eligibility is reviewed, the student shall have achieved a cumulative grade point average of at least 2.75 to continue to receive the Tennessee HOPE scholarship.

(b) A student enrolled in an undergraduate degree program required to be more than one hundred twenty (120) semester hours in length shall achieve a cumulative grade point average of at least 2.75 at the end of the semester in which the student has attempted one hundred twenty (120) semester hours to continue to receive the scholarship.

(c) A student receiving a Tennessee HOPE scholarship, who ceases to be academically eligible for the scholarship because the student fails to achieve a cumulative grade point average of at least 2.75 at the end of a semester in which student eligibility is reviewed, may regain the HOPE scholarship, if the student continues to meet all applicable nonacademic requirements for the scholarship, attends an eligible postsecondary institution without the HOPE

scholarship, achieves a cumulative grade point average of at least 2.75 at the end of any semester in which eligibility would have been reviewed under this section had the student not lost the scholarship, and reapplies for the scholarship. A student who regains the scholarship and then loses the scholarship a second time, by failing to achieve a cumulative grade point average of at least 2.75 at the end of a subsequent semester in which academic qualifications are reviewed, may not regain the scholarship. No retroactive award of a Tennessee HOPE scholarship shall be made under this subsection (c) for semester hours attempted in order to regain the scholarship.

SECTION 2. Tennessee Code Annotated, Section 49-4-920(e)(2), is amended by deleting the figure "3.0" and substituting instead the figure "2.75".

SECTION 3. Tennessee Code Annotated, Section 49-4-929(c), is amended by deleting the language "before attempting forty-eight (48) semester hours, then" and is further amended by deleting the second sentence of the subsection in its entirety.

SECTION 4. Tennessee Code Annotated, Section 49-4-931(b), is amended by deleting the figure "3.0" and substituting instead the figure "2.75".

SECTION 5. Subject to appropriation by the general assembly, it is the legislative intent that ten million dollars (\$10,000,000) from the lottery for education account may be used to supplement student assistance awards each year.

SECTION 6. Tennessee Code Annotated, Section 49-4-902, is amended by adding the following language as new, appropriately designated subdivisions:

() "Academic requirement" means a requirement of a specified grade point average, ACT or SAT score or cumulative grade point average that determines either initial or continuing eligibility for postsecondary financial assistance from net lottery proceeds;

() "Cost of attendance" means the combined cost of tuition, mandatory fees, room and board, books and other educational expenses as determined by the financial aid office of the eligible postsecondary institution;

() "General Assembly civic education scholarship" means the scholarship funded from net lottery proceeds and awarded under § 49-4-939 to meet the goals of the general assembly to promote and encourage civic learning and participation in community and government by high school students;

() "Gift aid" means scholarships and grants from any source that do not require repayment, including funds provided through the federal Foster Care Independence Act of 1999 and other similar programs. Student loans and work-study awards shall not be considered gift aid;

() "Nonacademic requirement" means any scholarship eligibility requirement other than an academic requirement;

SECTION 7. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section:

§ 49-4-9__.

(a) The section shall be known and may be cited as the "Helping Heroes Act of 2008".

(b) As used in this section, unless the context otherwise requires:

(1) "Veteran" means a former member of the armed forces of the United States, or a former member of a reserve or Tennessee national guard unit who was called into active military service of the United States, as defined in § 58-1-102; and

(2) "Successful completion of a course" means that the student received a non-failing grade as the final grade for the course.

(c) To be eligible for a Helping Heroes Grant, a veteran shall:

(1) Have received an honorable discharge;

(2) Have been a Tennessee resident, as defined by regulations promulgated by the board of regents under § 49-8-104, for one (1) year immediately preceding the date of application for a Helping Heroes Grant;

(3) Have been awarded:

- (i) The Iraq Campaign Medal;
 - (ii) The Afghanistan Campaign Medal; or
 - (iii) On or after September 11, 2001, the Global War on Terrorism Expeditionary Medal;
- (4) Not be ineligible for a grant under § 49-4-904;
 - (5) Be admitted to and enroll in an eligible postsecondary institution seeking an associate or baccalaureate degree;
 - (6) Have not received a baccalaureate degree; and
 - (7) Make application for a Helping Heroes Grant for any semester in which the veteran successfully completes six (6) or more semester hours.

(d) A veteran who qualifies for a Helping Heroes Grant under this section shall not be required to meet any academic standard at the time of enrollment in an eligible postsecondary institution to be eligible to receive the grant.

(e) Award of a Helping Heroes Grant shall be made after the completion of a semester. If a student successfully completes twelve (12) or more semester hours, then the student shall receive the full amount of the grant as provided in subsection (f). If a student successfully completes six (6) to eleven (11) semester hours, then the student shall receive one-half ($\frac{1}{2}$) of the full grant. A student successfully completing fewer than six (6) semester hours in a semester shall not be eligible for the grant for that semester, but may subsequently be eligible for the grant in a semester in which the student successfully completes at least six (6) semester hours; provided, that the student meets all other eligibility requirements during that semester.

(f) Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a Helping Heroes Grant awarded to a student shall be one thousand dollars (\$1,000) per semester

for any semester during the 2008-2009 academic year in which the student successfully completes twelve (12) or more semester hours. For academic years subsequent to the 2008-2009 academic year, the amount of such grant shall be determined in accordance with § 4-51-111 and shall be set in the general appropriations act.

(g) A student may receive a Helping Heroes Grant for a maximum of eight (8) semesters. In calculating the total number of semesters a student may receive a Helping Heroes Grant, semesters for which a student receives a Helping Heroes Grant and in which the student successfully completes six (6) to eleven (11) semester hours shall count as one-half ($\frac{1}{2}$) semester in the total.

(h) A veteran shall be eligible for a Helping Heroes Grant for any semester for which the veteran meets all qualifications for the grant and which commences prior to the eighth anniversary of the veteran's honorable discharge from military service.

(i) A Helping Heroes Grant shall be awarded in addition to any other financial aid for which the recipient veteran qualifies.

(j) Helping Heroes Grants shall not be awarded for any semester prior to fall semester 2008.

(k) Notwithstanding the provisions of § 49-4-903 to the contrary, TSAC shall award Helping Heroes Grants each year on a first come, first served basis to no more than three hundred seventy-five (375) eligible students.

(l) The comptroller of the treasury, through the comptroller's office of education accountability, shall review and study the Tennessee Helping Heroes scholarship program to determine the effectiveness of the program in educating veterans. Such study shall be done in the fifth year of the program and every four (4) years thereafter. The comptroller shall report the findings and conclusions of the study to the speakers of the senate and house of

representatives and the chairs of the education committees of the senate and the house of representatives.

SECTION 8. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section:

§ 49-4-9__.

(a) This section shall be known and may be cited as the “Tennessee Back to Class Act of 2008”.

(b) To be eligible for a Tennessee back to class grant, a student shall:

(1) Not be ineligible for the scholarship under § 49-4-904;

(2) Be classified as an in-state student under the rules of the Tennessee board of regents or the University of Tennessee system on the date of application for the grant;

(3) Have not been enrolled in any postsecondary institution for at least two (2) years prior to application for a Tennessee back to class grant;

(4) Have not received a baccalaureate degree from any postsecondary institution;

(5) Be within thirty (30) semester hours of graduation from an eligible four-year postsecondary institution with a baccalaureate degree;

(6) Be admitted to and enroll in an eligible four-year postsecondary institution determined under subdivision (5) as a full-time student; and

(7) Apply for all nonrepayable postsecondary financial assistance for which the student is eligible.

(c) A student shall be eligible for the receipt of one (1) Tennessee back to class grant. To be eligible for continuation of the Tennessee back to class grant in a semester subsequent to the first semester of receipt of the grant, a student shall maintain continuous enrollment in the eligible postsecondary

institution and maintain satisfactory progress in the student's course of study in accordance with the standards and practices used for federal Title IV programs by the postsecondary institution.

(d) A Tennessee back to class grant shall consist of two (2) distinct parts-
-the renewing education grant and the graduation threshold grant.

(1) TSAC shall make payment of the renewing education grant to the eligible postsecondary institution upon the enrollment and attendance of a grant recipient. The renewing education grant shall be applied only to the costs of tuition and required fees. The renewing education grant shall be the lesser of:

(A) Three thousand dollars (\$3,000) per academic year; or

(B) The difference between tuition and required fees and all nonrepayable postsecondary financial assistance that may be applied to tuition and required fees.

(2) Upon declaring intent to graduate with a baccalaureate degree as required under the rules of the eligible postsecondary institution attended, a recipient of a Tennessee back to class grant shall be awarded the graduation threshold grant payable by TSAC to the student as additional postsecondary financial assistance for the semester in which the student shall graduate. The graduation threshold grant shall be two thousand dollars (\$2,000).

(e) No retroactive award of either part of a Tennessee back to class grant shall be made under this section.

(f) Grants awarded under this section shall commence with the 2008-2009 academic year. No grant shall be awarded under this section in any academic year after the 2013-2014 academic year.

(g) Notwithstanding the provisions of § 49-4-903 to the contrary, TSAC shall award Tennessee back to class grants each year on a first come, first served basis.

(h) The Tennessee student assistance corporation is authorized to promulgate rules and regulations for the management and administration of the program; provided, that no more than one million five hundred thousand dollars (\$1,500,000) may be distributed for Tennessee back to class grants from net lottery proceeds each year. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 9. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section:

§ 49-4-9__.

(a) This section shall be known and may be cited as the “Tennessee Rural Health Act of 2008”.

(b) To be eligible for a Tennessee rural health scholarship, a student shall:

(1) Not be ineligible for the scholarship under § 49-4-904;

(2) Be classified as an in-state student under the rules of the Tennessee board of regents or the University of Tennessee system on the date of application for the scholarship and on the date of reapplication for the scholarship each academic year;

(3) Be admitted to and enroll in an eligible postsecondary institution that:

(A) Has a school of medicine providing a program of study accredited by the Liaison Committee on Medical Education, or its successor, as a full-time student seeking the degree doctor of medicine (M.D.);

(B) Has a school of medicine providing a program of study accredited by the Bureau of Professional Education of the American Osteopathy Association, or its successor, as a full-time student seeking the degree doctor of osteopathic medicine (D.O.);

(C) Offers a physician assistant program that is accredited by the Accreditation Review Commission on Education for the Physician Assistant, or its successor, as a full-time student seeking to become a physician assistant;

(D) Offers a nurse practitioner program that is accredited by the National League for Nursing Accrediting Commission, Inc., or its successor, or the Commission on Collegiate Nursing Education, or its successor, as a full-time student seeking to become a nurse practitioner;

(E) Has a school of dentistry providing a program of study accredited by the Commission on Dental Accreditation, or its successor, as a full-time student seeking the degree doctor of dental surgery (D.D.S.) or the degree doctor of dental medicine (D.M.D.); or

(F) Has a school of optometry providing a program of study accredited by the Accreditation Council on Optometric Education of the American Optometric Association, or its successor, as a full-time student seeking the degree doctor of optometry (O.D.).

(4) Maintain satisfactory progress in the program of study in which the student is enrolled;

(5)

(1) Agree to practice medicine in a health resource shortage area after becoming a Tennessee licensed physician,

osteopathic physician, or physician assistant or receiving a Tennessee certificate of fitness as a nurse practitioner one (1) year for each year of funding provided by a Tennessee rural health scholarship;

(2) Agree to practice dentistry in a health resource shortage area after becoming a Tennessee licensed dentist one (1) year for each year of funding provided by a Tennessee rural health scholarship; or

(3) Agree to practice optometry in a health resource shortage area after becoming a Tennessee licensed optometrist one (1) year for each year of funding provided by a Tennessee rural health scholarship.

(6) Not accept any other financial assistance that carries with it a service obligation after graduation and receipt of the applicable license to practice medicine, dentistry or optometry, except for a service obligation in the United States armed forces reserve or the national guard; and

(7) Sign a promissory note each year the scholarship is awarded that stipulates the cash repayment obligation incurred if the medical, dental or optometry service is not fulfilled. If a scholarship recipient obligates to a service commitment under another loan-scholarship program other than a service commitment permitted under subdivision (6), fails to complete the medical, dental or optometry program the recipient enrolled in, or fails to practice medicine, dentistry or optometry in a health resource shortage area for the number of years required to fulfill the recipient's obligation pursuant to the award of a Tennessee rural health scholarship, then all funds obtained from the award of the scholarship shall be repaid with interest; provided, however, that no repayment shall be due, if TSAC finds that it is impossible for the recipient

to fulfill the service obligation because of death or permanent disability of the recipient.

(c) A scholarship recipient shall not be required to fulfill the service requirement of subdivision (b)(5) or make any repayment of scholarship funds during any period of training required for licensure, including, but not limited to internship or residency, or during active duty service in the United States armed forces or mobilization as a member of the reserve components, but such period shall not exceed six (6) years.

(d)

(1) A Tennessee rural health scholarship awarded to a student attending an eligible public postsecondary institution shall be the amount of in-state tuition and fees for the program in which the student is enrolled.

(2) A Tennessee rural health scholarship awarded to a student attending an eligible independent postsecondary institution shall be:

(A) If an eligible public postsecondary institution offers a program comparable to that in which the student is enrolled, the average amount of in-state tuition and fees for such programs at all eligible public postsecondary institutions offering comparable programs; or

(B) If no eligible public postsecondary institution offers a program comparable to that in which the student is enrolled, the average amount of tuition and fees for such programs at all eligible independent postsecondary institutions offering comparable programs.

(3) No partial scholarship shall be awarded under this section.

(e) As used in this section, "health resource shortage area" means an area determined as a health resource shortage area by the department of health, office of rural health.

(f) The Tennessee student assistance corporation, in consultation with the department of health, Tennessee board of medical examiners, the board of osteopathic examination, the committee on physician assistants, the board of nursing, the board of dentistry and the board of optometry, is authorized to promulgate rules and regulations for the management and administration of the program, including the execution of appropriate contracts and promissory notes, the terms of promissory notes, cancellation of the notes and deferment of repayment and, should a scholarship recipient be required to repay a promissory note, the rate of interest and terms of repayment. The Tennessee student assistance corporation is also authorized to promulgate rules and regulations for the amount of awards for the Tennessee rural health scholarship; provided, that no more than five hundred thousand dollars (\$500,000) may be distributed for Tennessee rural health scholarships from net lottery proceeds each year. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

(g) No retroactive award of a Tennessee rural health scholarship shall be made under this section.

(h) Scholarships awarded under this section shall commence with the 2009-2010 academic year.

(i)

(1) THEC shall include as part of its annual report to the education committees of the senate and the house of representatives required under § 49-4-903(b) an analysis of the scholarship program established under this section including the total number of scholarships awarded by year, the number of scholarships awarded by the types of

programs in which the recipients are enrolled and such other data as THEC finds significant. The following data and information shall also be included for each recipient during the academic year in progress at the time of the report:

- (A) The name of the recipient;
- (B) The recipient's hometown;
- (C) The undergraduate institution from which the recipient graduated;
- (D) The school and program in which the recipient is enrolled; and
- (E) The expected date of completion by the recipient of the program in which the student is enrolled.

(2) The comptroller of the treasury, through the comptroller's office of education accountability, shall review and study the Tennessee rural health scholarship program to determine the effectiveness of the program in educating medical, dental and optometric professionals and in improving the delivery of health care to Tennesseans living in rural areas. Such study shall be done in the fifth year of the program and every four (4) years thereafter. The comptroller shall report the findings and conclusions of the study to the speakers of the senate and house of representatives and the chairs of the education committees of the senate and the house of representatives.

SECTION 10. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section:

§ 49-4-9__.

(a) The Tennessee Quality Teacher Fellowship (TQTF) program shall consist of the TQTF fifth year scholarship program and the TQTF college scholarship program, each of which shall be funded from net lottery proceeds.

(b) To be eligible for the TQTF fifth year scholarship, a student shall:

(1) Not be ineligible for a scholarship under § 49-4-904;

(2) Meet the requirements of § 49-4-905(a). The requirements of § 49-5-905(b) shall not apply to students seeking TQTF fifth year scholarships;

(3) Be enrolled at an eligible postsecondary institution in:

(A) A teacher preparation program requiring completion of a fifth year of preparation as a student teacher in a public school classroom under the guidance of a mentor teacher; or

(B) A master's degree program leading to licensure to teach in Tennessee;

(4) Have a cumulative grade point average of at least 3.0 at the time of application for the scholarship;

(5) Agree to teach at least three (3) years in a Tennessee public school after receipt of licensure to teach and to repay all funds received under this section if such requirement is not met or if the student does not obtain a license to teach; and

(6) Make application for the scholarship.

(c) To be eligible for the TQTF college scholarship, a student shall:

(1) Not be ineligible for a scholarship under § 49-4-904;

(2) Meet the requirements of § 49-4-905(a). The requirements of § 49-5-905(b) shall not apply to students seeking TQTF college scholarships;

(3) Be an entering freshman at time of application for the scholarship;

(4) Achieve a final overall weighted high school grade point average of at least 3.25;

(5) Attain a composite ACT score of at least 25 on any single ACT test date or a comparable combined SAT score on any single SAT test date;

(6) Enroll in a teacher preparation program at an eligible postsecondary institution;

(7) Agree to student teach one (1) year in a public school classroom under the guidance of a mentor teacher; and

(8) Agree to teach at least three (3) years in a Tennessee public school after receipt of licensure to teach and to repay all funds received under this section, if such requirement is not met or if the student does not obtain a license to teach.

(d) Scholarships awarded annually in the TQTF fifth year scholarship program and the TQTF college scholarship program shall be in addition to any other postsecondary financial assistance from net lottery proceeds for which a student is eligible and may be used for tuition, fees, books, room and board and other postsecondary expenses according to rules and regulations promulgated by TSAC; provided, that total postsecondary financial assistance from net lottery proceeds shall not exceed ten thousand dollars (\$10,000) per academic year. The TQTF fifth year scholarship and the TQTF college scholarship shall be subject to the provisions of § 49-4-922.

(1) The TQTF fifth year scholarship shall be a one-year award. Subject to the amounts appropriated by the general assembly, and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a TQTF fifth year scholarship shall be ten thousand dollars (\$10,000).

(2) The TQTF college scholarship may be awarded for no more than five (5) academic years; provided, that to continue to receive the scholarship in a subsequent academic year, a scholarship recipient shall

maintain continuous enrollment in the eligible postsecondary institution and achieve a cumulative grade point average of at least 3.0 at the end of the immediately preceding academic year. Subject to the amounts appropriated by the general assembly, and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a TQTF college scholarship shall be five thousand dollars (\$5,000).

(e) If more students apply for a scholarship than there are scholarships available under the Tennessee Quality Teacher Fellowship program, then TSAC shall choose the recipients. A student intending to teach mathematics or science shall be given greater consideration for the award of a scholarship over a similarly situated student intending to teach in a field other than mathematics or science if and only if both students are equally qualified.

(f) Scholarships under Tennessee Quality Teacher Fellowship program shall be awarded for nine (9) academic years beginning with the 2008-2009 academic year.

(g) The comptroller of the treasury through the office of education accountability shall study the effectiveness of the Tennessee Quality Teacher Fellowship program in training and retaining teachers and shall make findings and recommendations concerning the continuation of the program. Such study shall commence in the seventh year in which scholarships are awarded. The comptroller shall report the findings and recommendations to the general assembly before the second Tuesday in January, 2016.

SECTION 11. The Tennessee student assistance corporation is authorized to promulgate rules and regulations to effectuate the purposes of Section 10 of this act, including, but not limited to, rules for selection of recipients, if there are more candidates than scholarships to be awarded, and rules for repayment of the scholarships, if the teaching service obligation is not met. TSAC is authorized to promulgate rules for

cancellation of repayment of a scholarship, if TSAC finds that the teaching service obligation cannot be fulfilled because of death or permanent disability of the scholarship recipient. TSAC is also authorized to promulgate rules and regulations for the distribution of awards for Tennessee Quality Teacher Fellowship (TQTF) program based on a first come, first served priority basis; provided, that no more than five hundred thousand dollars (\$500,000) may be distributed for TQTF fifth year scholarships and TQTF college scholarships from net lottery proceeds each year. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 12. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriated designated section:

§ 49-4-9__.

(a) To be eligible for a Criminal Justice Scholarship, a student shall:

(1) Not be ineligible for a scholarship under § 49-4-904;

(2) Meet all nonacademic requirements for a Tennessee HOPE scholarship as an entering freshman;

(3) Be classified as an in-state student under the rules of the Tennessee board of regents or the University of Tennessee system on the date of application for the scholarship and on the date of reapplication for the scholarship each academic year;

(4) Be admitted to and enroll in an eligible public postsecondary institution that:

(A) Offers a four-year course of study that leads to a bachelor of science in criminal justice; or

(B) Offers a two-year course of study that leads to an associate of science in criminal justice or law enforcement;

(5) Meet the requirements of § 49-4-919(b);

(6) Maintain satisfactory progress at the eligible public postsecondary institution in which the student is enrolled in accordance with the standards and practices used for federal Title IV programs by the institution;

(7) Agree to serve as a commissioned or noncommissioned employee with a Tennessee law enforcement agency one (1) year for each year of funding provided by a Criminal Justice Scholarship;

(8) Not accept any other financial assistance that carries with it a service obligation after graduation; and

(9) Sign a promissory note each year the scholarship is awarded that stipulates the cash repayment obligation incurred if the law enforcement service is not fulfilled. If a scholarship recipient obligates to a service commitment under another loan-scholarship program, fails to complete the program in which the recipient is enrolled or fails to serve as a commissioned or noncommissioned employee of a Tennessee law enforcement agency for the number of years required to fulfill the recipient's obligation pursuant to the award of the Criminal Justice Scholarship, then all funds obtained from the award of the scholarship shall be repaid with interest; provided, however, that no repayment shall be due, if TSAC finds that it is impossible for the recipient to fulfill the service obligation because of death or permanent disability of the recipient.

(b) A student may apply for a Criminal Justice Scholarship at any time before or after enrollment in an eligible public postsecondary institution prior to receipt of a baccalaureate degree;

(c) A scholarship recipient shall not be required to fulfill the service requirement of subdivision (a)(7) or make any repayment of scholarship funds during any period of service in the United States armed forces, but such period shall not exceed six (6) years.

(d) The amount of a Criminal Justice Scholarship shall be the amount of in-state tuition and mandatory fees for the program at the eligible public postsecondary institution in which the student is enrolled. Criminal Justice Scholarships shall be funded from net lottery proceeds. A student receiving a Criminal Justice Scholarship shall not be eligible for any postsecondary financial assistance from net lottery proceeds other than the Criminal Justice Scholarship.

(e) As used in this section, "law enforcement agency" means a state, county or municipal agency whose primary focus is the enforcement of law in its respective jurisdiction. "Law enforcement agency" includes, but is not limited to:

- (1) A municipal police department;
- (2) A county sheriff department;
- (3) A state investigative agency; and
- (4) A state law enforcement agency.

(f) TSAC is authorized to promulgate rules and regulations for the management and administration of the Criminal Justice Scholarship program, including the execution of appropriate contracts and promissory note, the terms of promissory notes, cancellation of the notes and deferment of repayment and, should a scholarship recipient be required to repay a promissory note, the rate of interest and terms of repayment. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

(g) Scholarships awarded under this section shall commence with the 2009-2010 academic year.

(h) The comptroller of the treasury, through the comptroller's office of education accountability, shall review and study the Criminal Justice Scholarship program to determine the effectiveness of the program in encouraging students to select law enforcement as a career. Such study shall be done in the fifth year of the program and every four (4) years thereafter. The comptroller shall report the findings and conclusions of the study to the speakers of the senate and house of representatives and the chairs of the education committees of the senate and the house of representatives.

SECTION 13. Tennessee Code Annotated, Section 49-4-926, is amended by deleting the section in its entirety and substituting instead the following:

(a) Notwithstanding any provision of this part to the contrary, a student who is a Tennessee citizen and a dependent child of a military parent, shall be eligible for a Tennessee HOPE scholarship as an entering freshman at any eligible postsecondary institution, if such student:

(1) Is not ineligible for the scholarship under § 49-4-904;

(2) Meets the requirements of:

(A) § 49-4-907(3), if the student graduated from:

(i) A school operated by the government of the United States;

(ii) A school that is accredited by a regional accrediting association; or

(iii) A school that is accredited by an accrediting association recognized by the foreign nation in which the school is located;

(B) § 49-4-908(2)(A), if the student graduated from a high school other than a school specified in subdivision (2)(A) or the student completed high school in a home school; or

(C) § 49-4-908(2)(B), if the student received a GED;

(3) Is admitted to and enrolls in an eligible postsecondary institution no later than sixteen (16) months after completion of high school or receipt of a GED;

(4) Qualifies to be classified as an in-state student under the rules of the Tennessee board of regents or the University of Tennessee system at time of enrollment in the eligible postsecondary institution; and

(5) Makes application for the scholarship.

(b) As used in this section:

(1) “Dependent child” means a natural or adopted child or stepchild whom a military parent claims as a dependent for federal income tax purposes; provided, however, that such child is under twenty-one (21) years of age, and resides in another state or nation only while the military parent is engaged in active military service, on full-time national guard duty, or actively employed by the department of defense;

(2) “Military parent” means a parent of a dependent child who is:

(A) A member of the armed forces engaged in active military service of the United States and stationed on active duty outside of Tennessee;

(B) A member of the Tennessee national guard engaged in active military service of the United States and stationed on active duty outside of Tennessee; or

(C) A full-time civilian employee of the department of defense working outside of Tennessee; and

(3) "Tennessee national guard" means any federally recognized unit of the Tennessee army and air national guard.

SECTION 14. A student may apply for the retroactive award of a Tennessee HOPE scholarship for any semester of the 2004-2005, 2005-2006, 2006-2007, or 2007-2008 academic years in which the student would have qualified for a scholarship had the provisions of Section 13 of this act been in effect during such academic year. TSAC shall award the scholarship retroactively, if the student meets all applicable requirements for the scholarship.

SECTION 15. Tennessee Code Annotated, Section 49-4-933, is amended by deleting subsection (f) in its entirety and substituting instead the following:

(f) The Tennessee HOPE foster child tuition grant shall be the cost of attendance less any gift aid, with the total HOPE foster child tuition grant amount not to exceed the cost of tuition and mandatory fees at the eligible postsecondary institution attended. Additionally, at an eligible independent postsecondary institution, the Tennessee HOPE foster child tuition grant shall not exceed the statewide average public tuition and mandatory fee rate for the type of institution (two-year or four-year) attended.

SECTION 16. Tennessee Code Annotated, Section 49-4-933, is further amended by deleting subsection (c) in its entirety and by substituting instead the following:

(c) The student shall present TSAC with official certification from the department of children's services that the student meets the eligibility requirements of subsection (b) for the tuition grant.

SECTION 17. Tennessee Code Annotated, Section 49-4-933, is further amended by deleting subsection (e) in its entirety.

SECTION 18. The provisions of Sections 15 through 17 of this act are declared to be remedial in nature and to that end shall apply to all Tennessee HOPE foster child tuition grant awards made on or after July 1, 2006. TSAC shall award or adjust any

award of such grant made on or after July 1, 2006 and prior to the effective date of this act accordingly.

SECTION 19. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new section to be designated as follows:

§ 49-4-939.

(a) To be eligible for a General Assembly civic education scholarship a student shall:

(1) Not be ineligible for a scholarship under § 49-4-904;

(2) Meet all nonacademic requirements for a Tennessee HOPE scholarship as an entering freshman;

(3) Be selected under the process developed and adopted by the department of education for the award of the scholarship; and

(4) Be admitted to and enroll in an eligible postsecondary institution.

(b) The department of education shall develop and implement the General Assembly civic education scholarship program to promote and encourage civic learning and good citizenship throughout the state. The scholarship program each year shall recognize one (1) high school student in each senatorial district and one (1) high school student in each district of the house of representatives for an exemplary civics essay or a project that demonstrates exemplary community or governmental participation. The department, in consultation with the commission on civic education in Tennessee, shall set requirements, in addition to those in subsection (a), for students competing for such scholarships as the department determines to be reasonable. The department shall provide opportunities for the members of the senate and the house of representatives to participate in the publication of the scholarship program, encouragement of high school students to participate in

civic learning and to develop and execute civic projects meeting the requirements of scholarship program, determination of the recipients of the scholarships and in awards ceremonies for the scholarships. The department may enlist the help of secondary and postsecondary teachers, governmental officials, members of organizations encouraging civic learning, members of community organizations and other interested citizens in the development and execution of the scholarship program. The department shall annually notify each LEA of the program and its requirements for the receipt of a scholarship. Upon such notification, an LEA shall provide such notice to every high school and to all teachers of civic education in the system and shall request that the local news media publicize the program. The Tennessee student assistance corporation shall provide information about the scholarship program to students on its web site and during College Goal Sunday.

(c) Subject to the amounts appropriated by the general assembly and any provision of law relating to a shortfall in funds available for postsecondary financial assistance from the net proceeds of the state lottery, a General Assembly civic education scholarship shall be one thousand dollars (\$1,000) for full-time attendance for the 2009-2010 academic year. For academic years subsequent to the 2009-2010 academic year, the amount of such scholarship shall be determined in accordance with § 4-51-111 and shall be set in the general appropriations act.

(d) To continue to receive a General Assembly civic education scholarship, a student shall continue to meet all applicable nonacademic requirements for the Tennessee HOPE scholarship and shall maintain satisfactory progress in a course of study, in accordance with the standards and practices used for federal Title IV programs by the eligible postsecondary institution in which the student is enrolled.

(e) Receipt of a General Assembly civic education scholarship shall be subject to the limitations of § 49-4-913. Section 49-4-919 shall apply to students receiving a General Assembly civic education scholarship.

(f) A student shall receive the General Assembly civic education scholarship even though the student qualifies for no other postsecondary financial assistance from net lottery proceeds or in addition to any other postsecondary financial assistance from net lottery proceeds for which the student qualifies.

SECTION 20 The department of education shall develop the General Assembly civic education scholarship program provided for in this act for implementation and award of scholarships for the 2009-2010 academic year. No scholarships shall be awarded under Section 19 of this act prior to the 2009-2010 academic year.

SECTION 21. Costs incurred by TSAC, THEC and the department of education in administering the General Assembly civic education scholarship, which provides financial assistance to enable citizens of this state to attend postsecondary educational institutions, shall be funded from the lottery for education account as part of such program.

SECTION 22. Tennessee Code Annotated, Section 49-4-934(a), is amended by deleting subdivision (1) in its entirety and substituting instead the following:

(1) Graduate from a high school in the foreign nation where the student's parent is a religious worker and, if the high school is:

(A) Accredited by a regional accrediting association, meet the academic eligibility requirements of § 49-4-907(3); or

(B) Not accredited by a regional accrediting association, meet the academic eligibility requirements of § 49-4-908(2)(A); or

SECTION 23. A student may apply for the retroactive award of a Tennessee HOPE scholarship for any semester of the 2007-2008 academic year in which the student would have qualified for a scholarship under the provisions of § 49-4-934(a)(1)

as amended by Section 22 of this act, had the provisions of this act been in effect during such academic year. TSAC shall award the scholarship retroactively for such academic year to any student who would have qualified for the scholarship had the provisions of this act been in effect.

SECTION 24. Tennessee Code Annotated, Title 49, Chapter 4, Part 9, is amended by adding the following language as a new, appropriately designated section:

§49-4-9__.

Any funds in excess of ten million dollars (\$10,000,000) on July 1, 2008, in the lottery for education account established in § 4-51-111 may be invested pursuant to this section. The state funding board created by § 9-9-101 shall adopt an investment policy for such funds intended to maximize recurring revenues available for the purposes of this act. Such funds may be invested in the state pooled investment fund established by § 9-4-603, the intermediate-term investment fund established by § 9-4-608, the chairs of excellence endowment fund established by § 49-7-501, any securities authorized in § 9-4-602, or in any securities or classes of securities not specifically authorized in § 9-4-602 which are approved by resolution of the state funding board. All earnings attributable to such investments shall be credited to the lottery for education account.

SECTION 25. THEC, in consultation with the department of education, is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 26. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

SECTION 27. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or

applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 28. Sections 1 through 4 of this act shall take effect upon becoming law, the public welfare requiring it, and shall apply to students seeking Tennessee HOPE scholarships for the 2008-2009 academic year whose eligibility was reviewed at the end of the 2007-2008 academic year according to § 49-4-911 and who achieved a cumulative grade point average of at least 2.75, and to all students seeking Tennessee HOPE scholarships in academic years thereafter. Section 8 of this act shall take effect upon becoming a law, the public welfare requiring it, and shall be repealed thirty (30) days after the last Tennessee back to class grant awarded under this act has been paid. All remaining sections of this act shall take effect upon becoming law, the public welfare requiring it.